

UNITED STATES DISTRICT COURT

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for the

Middle District of Alabama

2018 JAN 24 P 12:44

NORTHERN DISTRICT
DEBRA P. HACKETT, CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALAPATRICK L. EDWARDS
TERESA K. EDWARDS

Case No.

2:18-CV-55

(to be filled in by the Clerk's Office)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

U.S. BANK NATIONAL ASSOCIATION as LEGAL
TITLE TRUSTEE for TRUMAN 2016 SC6 TITLE
TRUST

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Jury Trial: (check one) ☒ Yes ☐ No

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	PATRICK L. EDWRADS , TERESA K. EDWARDS
Street Address	1701 LONGMEADOW DR
City and County	MONTGOMERY
State and Zip Code	ALABAMA
Telephone Number	334-312-5508
E-mail Address	CLOW3578@GMAIL.COM

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.


Defendant No. 1

Name	U.S. BANK NATIONAL ASSOCIATION (James Stefani)
Job or Title <i>(if known)</i>	AS LEGAL TITLE TRUSTEE FOR TRUMAN 2016 SC6 TRUST
Street Address	425 Walnut Street
City and County	Cincinnati
State and Zip Code	OH 45202-3923 United States
Telephone Number	513-632-4234
E-mail Address <i>(if known)</i>	

Defendant No. 2

Name	Bank of America Home Loans
Job or Title <i>(if known)</i>	
Street Address	100 North Tryon Street,
City and County	Charlotte
State and Zip Code	North Carolina 28255
Telephone Number	704-386-5681
E-mail Address <i>(if known)</i>	

Defendant No. 3

Name	Faye Servicing Servicing (Wilmington National Trust Association) 
Job or Title <i>(if known)</i>	(Mr. Vonterro White) Trial Mediation Specialist
Street Address	P.O. Box 809441
City and County	Chicago
State and Zip Code	Illinois 60680-9441
Telephone Number	800-495-7166
E-mail Address <i>(if known)</i>	

Defendant No. 4

Name	CHRISTIANA TRUST
Job or Title <i>(if known)</i>	DIVISION OF WILMINGTON SAVINGS FUND SOCIETY FSB
Street Address	1100 N Market Street ,
City and County	Wilmington
State and Zip Code	DE 19890
Telephone Number	866-829-1928
E-mail Address <i>(if known)</i>	

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*



Federal question



Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

18 U.S. Code Chapter 47 - Section 1005

Title 18, United States Code, Section 1001

28 U.S. Code § 157 (c) (1)

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, *(name)* _____, is a citizen of the
State of *(name)* _____.

b. If the plaintiff is a corporation

The plaintiff, *(name)* _____, is incorporated
under the laws of the State of *(name)* _____,
and has its principal place of business in the State of *(name)* _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual**

The defendant, *(name)* _____, is a citizen of
the State of *(name)* _____. Or is a citizen of
(foreign nation) _____.

b. If the defendant is a corporation

The defendant, *(name)* _____, is incorporated under the laws of the State of *(name)* _____, and has its

principal place of business in the State of *(name)* _____.

Or is incorporated under the laws of *(foreign nation)* _____,

and has its principal place of business in *(name)* _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

see attached Statement of Claim

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

see attached Statement of Relief

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 01/29/2018

Signature of Plaintiff

Printed Name of Plaintiff

Patrick L Edwards

Teresa K. Edwards

ProSe

ProSe

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

Statement of Claim
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PATRICK L. EDWARDS
TERESA K. EDWARDS
Plaintiff

2018 JAN 29 P 12:44
DEBRA P. HACKETT, CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

2:18-cv-55

-V-

U.S. BANK NATIONAL ASSOCIATION
as LEGAL TITLE TRUSTEE for
TRUMAN 2016 SC6 TITILE TRUST
Defendant

1. 28 U.S. Code § 157(c)(1) U.S. Bank National Association

On December 19, 2017 an Order was issued by the United States Bankruptcy Courts (17-32175-DHW) in which a unlawful Asset Forfeiture of the home of Patrick and Teresa Edwards (Teresa not filing for Bankruptcy). The litigant was involved in a previous case within the Circuit Courts of Montgomery Alabama in which they sought an Permanent Injunction in regards to a foreclosure sought by previous owner Christiana Trust(Cv-2015-901043). The litigants were in the Post Judgment Stages within the Circuit Courts when U.S. Bank National Association filed a Motion of Relief from Automatic Stay for Teresa K. Edwards as a co-debtor. U.S. Bank National Association sought remedy within the U.S. Bankruptcy courts using an Affidavit and Mortgage Note supplied by the former Mortgage Company Christiana Trust National Association, that is the subject of scrutiny by the litigants in

circuit court. The litigants had only (7) days notice to prepare some type of defense based on a fluke by the U.S. Postal Service, a prior attempt was made by U.S. Bank National Association to seek remedy in The U.S. Bankruptcy Courts.

2. Title 18, United States Code 47, Section 1001,1005 (U.S. Bank)

On December 6th 2017, James Stefani an employee of U.S. Bank National Association, submitted an affidavit to the U.S. Bankruptcy Courts as evidence of monies owed that contradicted that which was filed in the Circuit Court case (CV-2015-901043). His affidavit alleging monies owed pre-settlement agreement, which under the Settlement Agreement were forgiven and not to entitled to receive. During the period in which the Settlement Agreement was active the only stipulation provided was to vacate the premises, and aide in foreclosure, but the litigants were advised by the Federal Housing Authority that action was unlawful because the agreement was a Violation of The Dodd Frank Act enacted in July 2010 prior to signing. The dollar amount alleged within Mr Stefani affidavit was misrepresented as there was never a lawful transfer of Mortgage to Bank of America filed or executed within the Probate courts between July 5th, 2006 until December 7th, 2011.

Bank of America Home Loans:

Title 18, United States Code 47, Section 1001,1005,1021

On September 24th 2010 a Settlement Agreement was executed in the case between Patrick L. and Teresa K. Edwards v. Bank of America Home Loans (2:09cv968-CSC). However, a Motion to Dismiss was filed by Kary Bryant Wolfe on behalf of the litigants on September 23rd, 2010 in regards to the residence located at 1701 Long Meadow Dr Montgomery Alabama. Counsel representing the litigants was Attorney Nicholas Cole Hughes, representing the defense was Attorney Kary Bryant Wolfe and unknowingly to the litigants representing Bank of America Home Loans were both Mr. Hughes and Mrs. Wolfe.

The settlement agreement resulted in the unlawful relocation and removal of the litigants from there residence. The Federal Housing Authority would later regards the Agreement as a Unlawful Contract. According to the Federal Housing Authority, there was only (3) ways for Bank America to take possession: 1) Deed in-lieu, 2) Short Sale, 3) Foreclose, but the Settlement Agreement was not a substitute for either. Taylor Bean and Whitaker who had filed for Bankruptcy Protection in August 2009, was protected under Chapter 11 Bankruptcy. According to The Federal Housing Authority, the courts would have to decide its

fate, as well as the distribution of all assets in question that were owned.

Christiana Trust, A Division Wilmington Savings Fund Society FSB
Faye Servicing

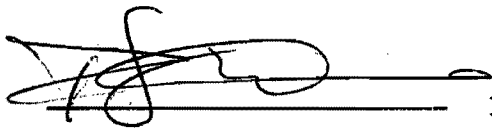
Title 18, United States Code, Section 1001,1021

On December 11th, 2015 a Motion to Dismiss and Enforce Settlement Agreement in pursuant to Alabama Rule of Civil Procedure 12(b)(6), was file in the Circuit Courts Of Montgomery Alabama by Christiana Trust National Association (CV-2015-901043). The motion was subsequently no-actioned by Judge William Shashy, but the motion sought to dismiss the case under the authority of its legal context and the Federal Authority of the agreement itself.

During the Circuit Circuit trial, several documents were filed by both plaintiff and defense counsel in reference to the previous case before this District Courts (2:09cv968-CSC). An affidavit was filed by Vonterro L. White, as Attorney of-fact on behalf of the defendant Wilmington Trust National Association and as an employee of Faye Servicing. Subsequently. the information supplied within the affidavit resulted in a favorable verdict for the defendant. The White affidavit claimed

that Wells Fargo as the Original Holder of the note, which contradicts the very settlement agreement filed with the affidavit, along a screen caption and numerous misquotes which fail to meet the standard of proof as evidence under law.


Patrick L. Edwards

A handwritten signature in black ink, appearing to be 'P. Edwards', written over a horizontal line.

Pro Se

Date: 1/29/2018

Teresa K. Edwards

A handwritten signature in black ink, appearing to be 'Teresa Edwards', written over a horizontal line.

Pro Se

Date: 1/29/2018

Statement of **RECEIVED**

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DEBRA P. HACKETT, CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

PATRICK L. EDWARDS
TERESA K. EDWARDS

Plaintiff

-V-

U.S. BANK NATIONAL ASSOCIATION
as LEGAL TITLE TRUSTEE for
TRUMAN 2016 SC6 TITILE TRUST

Defendant

The Complainants is seeking a Temporary Injunction of any and all sales, transfers, and changes of ownership in regards to the property at 1701 Long Meadow Dr Montgomery Alabama 36106.

Further, the litigant is seeking the reversal and a Cease and Desist Order on any and all legal actions orchestrated by the Bankruptcy Courts until all allegations of misconduct,

misrepresentation and Fraud have been resolved by the District Courts in regards to the property 1701 Long Meadow Dr.

Montgomery, Alabama. The litigants feel the U.S Bankruptcy

Courts have violated it's legal right to continue the Appellant process through the unlawful Asset Forfeiture as we no longer

own of the residence. In Addition, we request this court rule on

the outstanding legal question posed by Judge James Anderson in

case(CV-2015-901043) as to the Settlement Agreement. The

unestablished legal authority to present it in circuit court beyond its legal deadline establish under federal rule, and the legality of the Federal Court Settlement to be enforced. An addition, the unlawful motions filed by the defense counsel on behalf of this litigant by defense counsel removing there rights through unlawful representation under Alabama law. This litigant believes the Bankruptcy courts unlawful forfeiture wrongfully conveyed ownership without the authority, judgment or review of the District Courts and during the post judgement appellant process. The Complainant is seeking damages for Pain and Suffering and Emotional Distress for \$250,000.00, and Punitive and Compensatory damages for the following: Forced relocation, Loss wages, Mental Anguish, Misrepresentation, False Notary, False Affidavits, Unlawful Representation by defense counsel and Fraud by Contract in the amount of \$500,000.00.

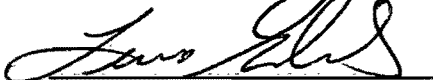
Patrick L. Edwards



Pro Se

Date: 1/29/2018

Teresa K. Edwards



Pro Se

Date: 1/29/2018